



Sussex
Wildlife Trust

Mr C Banks
Banks Solutions
64 Lavinia Way
East Preston
West Sussex
BN16 1EF

Contact: Jess Price
Direct Dial: 01273 497511
E-mail: swtconservation@sussexwt.org.uk
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Dear Mr Banks

The attached position statements are made on behalf of the Sussex Wildlife Trust and the Hampshire and Isle of Wight Wildlife Trust in relation to the South Downs National Park Local Plan.

The following comments are made in relation to the questions raised by the Inspector. Comments from our previous consultation responses still stand.

This statement contains responses to Matters 1, 3 and 4.

The Sussex Wildlife Trust wishes to participate in the hearing sessions for the all Matters listed above.

Yours sincerely

Jess Price
Conservation Officer

Woods Mill, Henfield, West Sussex, BN5 9SD
01273 492 630 | enquiries@sussexwt.org.uk | sussexwildlifetrust.org.uk

Chairman: Carole Nicholson Chief Executive: Tor Lawrence

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R307 - Sussex and Hampshire & Isle of Wight Wildlife Trusts

Matter 1 - Vision and Objectives

Is the Plan based on an appropriate Vision and appropriate Objectives, with reference to established legislation and guidance governing National Parks?

As stated in the Trusts' previous comments (ID 2090), we are concerned that the vision and objectives are not sound (consistent with national policy) because they do not expressly commit to a net gain in biodiversity over the lifetime of the plan. The first purpose of the National Park includes conserving and enhancing wildlife, which is echoed in paragraph 109 of the 2012NPPF.

The 2018NPPF goes further in paragraph 170 stating that '*planning policies and decisions should ... [provide] net gains for biodiversity*'. Whilst we acknowledge that, as per Annex 1 of the revised NPPF, the soundness of the plan should be assessed against the content of the previous 2012NPPF, paragraph 213 of the 2018NPPF states that due weight should be given to policies according to their degree of consistency with the new Framework. It therefore seems appropriate to indicate where we are concerned that the plan is not in conformity with the 2018NPPF.

We also note that the most recent version of policy SD9: Biodiversity and Geodiversity (Appendix 1 of the Schedule of Changes) still includes the caveated statement of '*identify and incorporate opportunities for net gains*' rather than a direct requirement for all development to deliver net gains to biodiversity.

The Trusts' therefore ask that objective 3 of the plan is amended as follows (addition in **bold**):

'To conserve and enhance large areas of high-quality and well-managed habitat to form a network supporting wildlife and **net gains to biodiversity** throughout the landscape'.

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Matter 3 - Core Policies

Do the three Core Policies of the Plan make appropriately justified and effective provision respectively for:

Policy SD2 – Ecosystem Services – with respect in particular to:

- a. the requirement of the Policy for all proposals to be supported by a statement on its impact upon ecosystem services?

As per our previous comment (ID 2062 and 2063), the Trusts' strongly support the inclusion of this policy and the requirement for all proposals to be supported by a statement to indicate compliance.

As demonstrated by the Government's Biodiversity 2020 Strategy and the 25 Year Plan for the Environment, maintaining no net loss to biodiversity is no longer an acceptable approach to conserving the natural environment. As per paragraphs 109 of the 2012NPPF, 170 of the 2018NPPF and the Planning Practice Guidance (013 Reference ID: 8-013-20160211), regard must be given to the wider benefits of ecosystem services and natural capital.

Sustainable development means meeting the needs of the present without compromising the ability of future generations meet their own needs. Therefore, conserving and enhancing natural capital is fundamental to the SDNPA's ability to ensure that development within the park is sustainable and to demonstrate that the duty to foster the social and economic wellbeing of communities is being carried out in pursuit of purpose one.

This policy is based on proportionate evidence (justified), and if the need for the policy is accepted, then the requirement for all proposals to be supported by a statement makes the policy deliverable (effective). Without this requirement and the associated technical advice note, applicants may struggle to comply with the policy. By setting out clearly how applicants fulfil the requirements of the policy, the SDNPA take this ambiguity away.

The Trusts' note that as per our comments (ID 2062) the SDNPA have now produced technical advice notes to better inform application of this policy. Whilst we strongly support their production we are concerned that the Non-Householder note is far more ambiguous than the Householder note. It is difficult to see how the policy will be applied consistently to Non-Householder applications. We believe that the policy would be much more effective if the Non-Householder technical advice note was more prescriptive to enable consistent analysis at development management stage.

The Trusts' believe that the requirement for a supporting statement should be retained, but that more prescriptive guidance is included to applicants in the non-householder technical advice note.

Policy SD3 – Major Development - with respect in particular to:

- a. whether part 1 of the policy provides a justified and effective basis for an objective identification of proposals considered to comprise major development,

As per the Trusts' previous comments (ID 2064) we are still concerned that the term 'serious' in relation to adverse impacts has no planning context. Until the SDNPA provides some clarification of what 'serious adverse impact' means in terms of planning decisions, we do not consider that this policy is deliverable.

The Trusts' request that the caveat of 'serious' is removed from the policy or that a clearer definition of what 'serious adverse' constitutes is provided. The Trusts' would accept the use of 'significant' instead, as this is more commonly used in planning policy and therefore is more straight forward to define.

- c. whether part 3 of the policy sets appropriate requirements and constraints for the control of major development exceptionally permitted within the SDNP,

Whilst the Trusts' support the inclusion of part 3 of policy SD3, we agree that further guidance is required in order to make this section effective. As per our previous comments (ID 2064) further information is presented in paragraph 4.28 of the supporting text. However given that this holds little weight in terms of planning decisions, this information should be brought into the policy.

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Matter 4 – Overall Housing Need and Supply

Policies SD26 and SD33

c. Is the choice of housing sites allocated in the Plan justified by robust evidence and selection methodology?

As per our covering letter to the Trusts' Regulation 19 response (ID 2057) and our responses to Chapter 9 of the Plan (ID 2059) and policy SD64 (ID 2028), we question the robustness of the evidence used to inform the housing site allocation process.

2012NPPF paragraph 165 is clear that planning policies should be based on up-to-date information about the natural environment. This is particularly vital for a planning authority whose first purpose includes a requirement to conserve and enhance wildlife. Whilst the evidence base does include assessments of ecosystem services, this approach appears to have been tested on allocations after they had been selected, rather than as a part of the selection methodology. Similarly, whilst some ecological surveys for some of the site allocations now appear to have been undertaken, this evidence cannot have been used to inform the suitability of allocations within the setting of a National Park.

This is a local plan for a National Park, rather than a more conventional local planning authority, and as such more robust data should be provided to demonstrate that the allocations within the plan are compliant with the twin purposes of the National Park and are truly sustainable by being landscape capacity driven. Sites should be assessed before allocation to ensure the existing biodiversity value has been robustly considered.